

Under the provisions of Section 413.031 of the Texas Workers' Compensation Act, Title 5, Subtitle A of the Texas Labor Code, effective June 17, 2001 and Commission Rule 133.305, titled Medical Dispute Resolution-General, and 133.307, titled Medical Dispute Resolution of a Medical Fee Dispute, a review was conducted by the Division regarding a medical fee dispute between the requestor and the respondent named above. This dispute was received on January 5, 2004.

I. DISPUTE

Whether there should be reimbursement for CPT code 29876 rendered on 9/26/03.

II. RATIONALE

Review of the requestor's appeal letter dated November 18, 2003, states in part, "...CPT Code 29876 has been denied with the explanation – Per CCI EDIT PROCEDURE 29888 INCLUDES 29876.

This is an invalid denial as CPT code 29876 is not global to CPT code 29888. I have attached a copy of the operative report along with additional supporting documentation. I am resubmitting this claim for reconsideration..."

Review of the requestor's appeal letter dated January 21, 2004 states in part, "...I am not sure where the date from this coding initiative report has accumulated from, however; our data comes directly out of the Complete Global Service Data for Orthopaedic Surgery, 2003 which clearly states as you can see in the attached pages that CPT code 29876 is not global to CPT code 29888 or 29879. There seems to be a conflict in our data and the carrier's therefore; I contacted the American Academy of Orthopaedic Surgeons in regards to this conflict and I spoke with Dan (800) 626-6726 who stated to me that the CCI version (correct coding initiative,) is derived from CMS (Medicare.)

Since this is a worker's compensation issue, and Dan stated to me that the CCI Version is slightly outdated and for Insurance's other than Medicare it is recommended that the Complete Global Service Data is referenced as it is updated every year. ..."

Review of the respondent's position statement noted on the "Table of Disputed Services", states, "I have printed out the correct coding initiative report showing that CPT 29876 is global to 29888."

Review of the requestor's HCFA 1500 revealed that the requestor billed for CPT codes 29876, 29879, and 29888 rendered on 9/26/03. Review of the carrier's EOB with an audit date of 11/4/03, revealed that CPT code 29876 was denied by the carrier with exception code "G-Include in Global", with no reimbursement was made to the requestor. The requestor therefore seeks reimbursement of CPT code 29876. Advisory 2003-13 states in part, "The Commission has adopted CMS payment policies in §134.202, Medical Fee Guideline (MFG)..." Therefore, the disputed charges will be reviewed according to the CMS payment policies. According to the CMS payment policies CPT code 29876 is global to 29888, therefore, the requestor is not entitled to reimbursement of the disputed charge.

III. DECISION

Based upon the review of the disputed healthcare services within this request, the Division has determined that the requestor is not entitled to reimbursement for CPT code 29876.

The above Findings and Decision is hereby issued this 5th day of April 2004.

Margaret Q. Ojeda
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Medical Review Division

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